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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/790,614	03/01/2004	Charles Abraham	GLBL 046	8851

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EXAMINER

ARTHUR JEANGLAUD, GERTRUDE

ART UNIT PAPER NUMBER

3661

DATE MAILED: 03/14/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>		<b>Applicant(s)</b>	
	10/790,614		ABRAHAM ET AL.	
	<b>Examiner</b>		<b>Art Unit</b>	
	Gertrude Arthur-Jeanglaude		3661	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 1/4/06.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3 and 5-24 is/are rejected.
- 7) ☒ Claim(s) 4 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Response to Amendment***

#### ***Claim Rejections - 35 USC § 112***

Claims 9-11, are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 9 recites the limitation "said sequential estimation filter" in lines 2-3. There is insufficient antecedent basis for this limitation in the claim.

Claim 10-11, are rejected for incorporating the deficiencies of its dependent claim.

#### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 5, 7-8, 12-13, 16, 19, are rejected under 35 U.S.C. 102(e) as being anticipated by Rapoport et al. (U.S. Pub 20040130485).

As to claims 1, 13, Rapoport et al. disclose a method of locating position of a mobile receiver comprising: determining sets of satellite measurements with respect to

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a plurality of satellites over a period of time (See paragraph 0042); detecting whether the mobile receiver is in a stationary condition over the period of time (See paragraph 0002); computing a position of the mobile receiver using the sets of satellite measurements in response to detection of the stationary condition (See paragraphs 0002, 0003).

As to claim 5, Rapoport et al. disclose the computing step is performed at the mobile receiver (See paragraph 0003).

As to claims 7-8, 16, Rapoport et al. disclose processing each of the sets of satellite measurements using a navigation model to generate a plurality of results and statistically processing the plurality of results to determine the position (See paragraphs 0002, 0031).

As to claims 12, 19, Rapoport et al. discloses estimating precise position of a stationary or moving object (See paragraph 0002; considered as motion measurement device that would measure position over a period of time).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2-3, 6, 14-15, are rejected under 35 U.S.C. 103(a) as being unpatentable over Rapoport et al. (U.S. Pub 20040130485) in view of Gerecht (U.S. Pub 20050014512).

As to claims 2, 14, Rapoport et al. disclose all but fail to specifically disclose monitoring information received from a wireless communication network at the mobile receiver over a period of time. In an analogous art, Gerecht disclose techniques for generating position assistance information wherein it discloses wireless communication system (See abstract). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system of Rapoport et al. with that of Gerecht by monitoring information received from a wireless communication network in order to improve the ability of the subscriber to quickly and accurately identify its position.

As to claims 3, 15, Rapoport et al. disclose moments of time (See paragraph 0042) considered as plurality of timing advance values obtained at a respective plurality of times.

As to claim 6, Rapoport et al. disclose all but fail to specifically disclose transmitting to a server in wireless communication with the mobile receiver and wherein the computing step is performed at the server. In an analogous art, Gerecht discloses wireless communication network wherein one of ordinary skill in the art would have server in the network for the wireless communication in order to improve the ability of the subscriber to quickly and accurately identify its position.

Claims 20-24, are rejected under 35 U.S.C. 103(a) as being unpatentable over Rapoport et al. (U.S. Pub 20040130485) in view of Geier et al. (U.S. Pub 20040239558).

As to claims 20-24 Rapoport et al. disclose a method of locating position of a mobile receiver comprising: determining sets of satellite measurements with respect to a plurality of satellites over a period of time (See paragraph 0042); detecting whether the mobile receiver is in a stationary condition over the period of time (See paragraph 0002); computing a position of the mobile receiver using the sets of satellite measurements in response to detection of the stationary condition (See paragraphs 0002, 0003). Rapoport et al. disclose all but fail to specifically disclose monitoring information received from a wireless communication network at the mobile receiver over a period of time. In an analogous art, Geier disclose techniques for generating position assistance information wherein it discloses wireless communication system and kalman filter(See abstract; paragraph 0026). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system of Rapoport et al. with that of Geier et al. by monitoring information received from a wireless communication network and using kalman filter in order to improve the ability of the subscriber to quickly and accurately identify its position.

Claims 17-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rapoport et al. (U.S. Pub 20040130485) in view of Geier et al. (U.S. Pub 20040239558).

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As to claims 17-18, Rapoport et al. disclose all but fail to specifically disclose a sequential kalman filter. In an analogous art, Geier disclose techniques for generating position assistance information wherein it discloses the use of kalman filter(See paragraph 0026). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system of Rapoport et al. with that of Geier et al. by using kalman filter in order to identify erroneous measurements used to compute the position solution.

#### ***Allowable Subject Matter***

Claim 4 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The prior art fails to disclose computing a difference between a maximum of a plurality of timing advance values and a minimum of the plurality of timing advance values; where the stationary condition is detected in response to the difference being within a threshold of zero.

#### ***Response to Arguments***

Applicant's arguments with respect to claims 1-24 have been considered but are moot in view of the new ground(s) of rejection.

#### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gertrude Arthur-Jeanglaude whose telephone number is (571) 272-6954. The examiner can normally be reached on Monday-Friday from 8:30 a.m. to 6:00 p.m..


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Black can be reached on (571) 272-6956. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

GAJ



March 6, 2006

  
GERTRUDE A. JEANGLAUDE  
PRIMARY EXAMINER